



MEMPHIS & SHELBY COUNTY BOARD OF ADJUSTMENT

125 North Main Street, City Hall, Room 468
MEMPHIS, TENNESSEE 38103

APPLICATION FOR APPEAL FROM AN ADMINISTRATIVE INTERPRETATION OF THE UNIFIED DEVELOPMENT CODE

Property Owner of Record: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Property Owner E-Mail Address: _____

Applicant (if not property owner): _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Applicant E-Mail Address: _____

Authorized Agent: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Engineer/Surveyor/Architect: _____ Phone # _____

(Add additional sheets if including more than one entity)

Mailing Address: _____ City/State: _____ Zip _____

Engineer/Surveyor/Architect E-Mail Address: _____

To the Chairman, Board of Adjustment:

Application is hereby made for Appeal from an administrative interpretation of the Unified Development Code. The interpretation was given by (select one) City Engineer / County Engineer / Planning Director / Building Official on _____, 20 ____ (provide copy of letter or email with written interpretation) under the discretionary power vested in your Board by Chapter 9.23.

PREMISES LOCATION (Describe by street address & directional location description, ex. 200 Johnson Street, North side of Johnson Street, 100 feet east of Brown Street) _____

and _____

_____ known as Number _____ (Street, Avenue, Road).

DESCRIBE PROPOSED APPEAL AND JUSTIFICATION FOR REQUEST.

DESCRIPTION OF EXISTING OR PROPOSED BUILDING OR STRUCTURE

Size of Building or Structure:

At street level: _____ feet across front: _____ feet deep. Height: _____ Stories _____ feet high.

Occupancy: (a) Number of Families: (If any are used as dwellings): _____
(b) Number of Automobile Parking Spaces: _____

Use District: _____ Date of Erection: _____

Character of Construction: Frame ☐ Masonry ☐

Reinforced Concrete or Protected Steel Frame Other (Specify) _____

I (we) hereby make application for an appeal of an interpretation of the Memphis and Shelby County Unified Development Code.

I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Board of Adjustment at the next available hearing date.

I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

_____ *Property Owner of Record	_____ Date	_____ Applicant (if not property owner)	_____ Date
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* Property Owner of Record shall sign if not the applicant of the request for appeal.

ADMINISTRATIVE APPEALS **(see Chapter 9.23 of the Unified Development Code)**

1. Decision appealed:
2. Grounds for appeal:

3. Findings:

a. What is applicable law?

b. Why was law incorrectly applied here (please state reasoning)?

**GUIDE FOR SUBMITTING
BOARD OF ADJUSTMENT APPLICATION**

A. **THE APPLICATION** - Four (4) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) One (1) original Application, 8.5"x11" Site/Concept Plan, Survey, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Site/Concept Plan (folded), copy of Deed(s).
- 2) Four (4) sets of copies in the following order: Application, 8.5"x11" Site/Concept Plan, Survey Legal Description, and Vicinity Map, Letter of Intent, 20"x24" Outline and/or Site/Concept Plans folded.
- 3) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)

B. **LETTER OF INTENT** - The letter shall include the following:

- 1) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
- 2) A list of any professional consultants associated with the proposed development.
- 3) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed development is to be designed, arranged and operated in order to limit impact to neighboring properties.

C. **SITE/CONCEPT PLAN** - Four (4) copies of the site/concept plan shall be submitted and depict the following: (a) property boundary lines and dimensions, existing utilities and easements, roadways, rail lines and public rights-of-way, crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of proposed landscaping; (d) the location of points of ingress/egress (driveways), parking lots and loading areas on the site; and (e) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses or ponds. Site/Concept plans shall be drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres.

D. **SURVEY**
A stamped and sealed survey by a registered surveyor or Professional Engineer of the subject site. For appeals that do not involve new construction, the requirement for submitting a survey may be waived by the Office of Planning and Development.

E. **WRITTEN INTERPRETATION**
Four (4) copies of the written interpretation of the Unified Development Code being appealed.

F. **FILING FEES** *(All Fees Are Subject To Change without Prior Notice)*

Appeal of Administrative Decision	\$100.00
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